

LEE LITIGATION GROUP, PLLC

148 WEST 24TH STREET, EIGHTH FLOOR

NEW YORK, NY 10011

TEL: 212-465-1180

FAX: 212-465-1181

INFO@LEELITIGATION.COM

WRITER'S DIRECT: (212) 465-1188
cklee@leelitigation.com


December 1, 2023

Via ECF:

The Honorable Lewis J. Liman, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

The collective notice is approved.
Date: December 1, 2023

SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Re: *Vilella v. Pup Culture LLC et al*
Case No. 23-cv-02291

Dear Judge Liman:

Our office represents Plaintiff in the above referenced matter. We submit this letter pursuant to the Court's November 17, 2023, Order, requesting that the parties submit a revised notice consistent with the Court's opinion conditionally certifying a collective. The parties jointly submit the revised collective notice which Plaintiff has attached as **Exhibit A** to this letter.

We thank the Court for its consideration of the above.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ASHLEY VILELLA, *on behalf of herself, FLSA
Collective Plaintiffs and the Class,*

Plaintiff,

Case No.: 23-cv-02291-LJL

-against-

PUP CULTURE LLC
d/b/a PUPCULTURE,
PUPCULTURE DUMBO LLC
d/b/a/ PUPCULTURE DUMBO,
PUPCULTURE FIDI LLC
d/b/a/ PUPCULTURE FIDI,
PUPCULTURE TRIBECA LLC
d/b/a/ PUPCULTURE TRIBECA,
PUPCULTURE UWS LLC
d/b/a/ PUPCULTURE WEST 57,
JOHN DOE CORPORATION
d/b/a PUPCULTURE SOHO,
and IBRAHIM ALIMIMEH,

Defendants.

**COURT AUTHORIZED NOTICE
OF LAWSUIT AND
OPPORTUNITY TO JOIN,
PURSUANT TO 29 U.S.C. § 216(b)**

**IMPORTANT NOTICE
ADVISING YOU OF YOUR
RIGHTS**

COURT-AUTHORIZED NOTICE

**If you were a non-exempt employee at PupCulture between March
17, 2020 and the present, this notice is addressed to you.**

A collective action lawsuit may affect your legal rights.

This is not a solicitation.

- A lawsuit was brought by a former employee of PUP CULTURE LLC d/b/a PUPCULTURE, PUPCULTURE DUMBO LLC d/b/a/ PUPCULTURE DUMBO, PUPCULTURE FIDI LLC d/b/a/ PUPCULTURE FIDI, PUPCULTURE TRIBECA LLC d/b/a/ PUPCULTURE TRIBECA, PUPCULTURE UWS LLC d/b/a/ PUPCULTURE WEST 57, JOHN DOE CORPORATION d/b/a PUPCULTURE SOHO, and IBRAHIM ALIMIMEH (collectively, “Defendants”), who has sued claiming that her employer failed to pay them and other employees overtime for the all hours they worked over 40 in a workweek as required by the Fair Labor Standards Act (“FLSA”), due to alleged (i) unlawful rounding policies, (ii) time-shaving

Questions?

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- policies, (iii) and a payment of overtime at a straight-time rate.
- The lawsuit is proceeding as a collective action on behalf of individuals who work or worked at Defendants as non-exempt employees in positions which include, but are not limited to, receptionists, pet groomers, kennel attendants, pet sitters, and dog walkers, at any time from March 17, 2020 to the present.
- Defendants deny the allegations. The Court has not decided who is right and who is wrong.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	<p>If you choose to be included, you will share in any monetary recovery that might come from a trial or a settlement in this lawsuit. You give up any rights to separately sue Defendants about the same legal claims in this lawsuit.</p> <p>If you wish to be included, you must complete and submit the “Consent to Join” form included with this Notice on or before (if by mail, postmarked on or before) [insert date 60 days from mailing of notice; the notice period re-starts if the notice is returned undeliverable and a new address is located].</p>
DO NOTHING	<p>By doing nothing, you will not be included in this lawsuit. This means that you give up the possibility of a monetary recovery that may come from a trial or settlement if those bringing the lawsuit are successful; and will not be affected by any settlement or judgment rendered in this lawsuit, whether favorable or unfavorable.</p> <p>You keep any rights to sue Defendants separately about the same legal claims in this lawsuit, but the limitations period on your federal claim will continue to run.</p>

This notice contains information that affects your rights. Please read it carefully.

1. Why did I get this notice?

You are getting this notice because Defendants’ records show that you worked as a non-exempt employee in a relevant job title at some point between March 17, 2020 and the present.

2. What is this lawsuit about?

The lawsuit alleges that Defendants failed to pay non-exempt employees all overtime hours under the Fair Labor Standards Act (“FLSA”) for the hours they worked over 40 in a workweek. Plaintiff alleges that Defendants would round her punch times in a non-neutral manner, that Defendants would pay overtime at a straight time rate, and that Defendants would demand off-the-clock work. The Court has not yet decided who is right or wrong. The Court may ultimately determine that you do not have a claim.

The lawsuit is known as *Vilella v. Pup Culture LLC et al*, Case No. 23-cv-02291-LJL, and is pending before the Honorable Lewis J. Liman, United States District Judge in the Southern District of New York.

Defendants are represented by Ferdinand Fernandez II from the Law Office of Ferdinand

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cklee@leelitigation.com

Fernandez II, LLC, who may be reached at: (862) 249-7975 or Ferdinand.fernandezii.esq@gmail.com. If you choose to join this case, you should not contact the Defendants' lawyers directly yourself.

3. What is a collective action and who is involved?

In a collective action lawsuit, one or more people may bring a lawsuit on behalf of themselves and others who are similarly situated to them. All non-exempt employees who decide to participate in the FLSA claims in this case are part of the "Collective" and are "Collective Members." One court resolves the issues for all Collective Members.

4. How do I ask to be included in the case?

Enclosed is a form called "Consent to Join." **If you want to join this lawsuit, you must read, sign, and promptly return the Consent to Join Form by (if by mail, postmarked by) insert date that is 60 days from mailing of notice; the notice period re-starts if the notice is returned undeliverable and a new address is located.** An addressed and postage-paid envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, the Consent to Join Form must be sent to:

C. K. Lee, Esq.
Lee Litigation Group, PLLC
148 West 24th Street, 8th Floor
New York, NY 10011
Tel: (212) 465-1180
Fax: (212) 465-1181
Email: ckle@leelitigation.com

The signed Consent to Join Form must be submitted or postmarked by insert date that is 60 days from mailing of notice; the notice period re-starts if the notice is returned undeliverable and a new address is located.

5. What happens if I join the Collective?

If you are eligible to join the lawsuit and choose to join, you will be bound by any ruling, monetary settlement, or judgement, whether favorable or unfavorable. You would share in any proceeds from a settlement or favorable judgment.

While this suit is pending, you may be required to provide documents or information relating to your employment, or otherwise participate in written discovery, depositions, and/or in a trial of this matter in the United States District Court for the Southern District of New York. For this reason, you should preserve all documents relating to your employment by Defendants.

6. Can Defendants and/or my current employer retaliate against me if I join the lawsuit?

It is a violation of federal law to, in any manner, retaliate against you for participating in this lawsuit.

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Contact CK Lee at (212) 465-1180 or
cklee@leelitigation.com

7. Do I have a lawyer in this case?

If you choose to join the lawsuit, you will be represented by Plaintiffs' counsel, Lee Litigation Group, PLLC. If you do not want to be represented by Lee Litigation Group, PLLC in connection with this lawsuit, you may choose to retain your own counsel (at your own expense).

The firm is handling the lawsuit on a "contingency fee" basis, which means that you do not have to pay any attorneys' fees or expenses for this lawsuit. If the plaintiff wins a favorable judgment, Lee Litigation Group, PLLC may ask the Court to award it up to one-third of the monetary recovery. You are not required to have Lee Litigation Group, PLLC represent you. If you want your own attorney to represent you in this lawsuit, however, you may be responsible for paying that attorneys' fees and expenses.

8. Questions?

If you have any questions, you may write, e-mail, or call Plaintiffs' counsel:

C. K. Lee, Esq.
Lee Litigation Group, PLLC
148 West 24th Street, 8th Floor
New York, NY 10011
Tel: (212) 465-1180
Fax: (212) 465-1181
Email: cklee@leelitigation.com

DATED: _____, 2023

Questions?

Contact CK Lee at (212) 465-1180 or
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CONSENT TO JOIN LAWSUIT

IF YOU RECEIVED THIS FORM AND WANT TO JOIN THE FEDERAL PORTION OF THIS LAWSUIT, PLEASE COMPLETE THESE TWO STEPS:

A. COMPLETE AND SIGN THIS PLAINTIFF CONSENT FORM; AND

B. USE THE ENCLOSED ENVELOPE TO RETURN THIS FORM TO THE ADDRESS BELOW NOT LATER THAN 60 days from mailing of notice.

1. I consent to be a party in the lawsuit *Vilella v. Pup Culture LLC et al*, Case No. 23-cv-02291-LJL, U.S. District Court, Southern District of New York, in order to seek redress for violations of the Fair Labor Standards Act, pursuant to 29 U.S.C. § 216 (b).
2. By signing and returning this consent form, I hereby designate Plaintiff and her counsel Lee Litigation Group, PLLC ("the Firm") to represent me and make decisions on my behalf concerning the litigation and any settlement. I understand that reasonable costs expended on my behalf may be deducted from any settlement or judgment amount. I understand that the Firm will petition the Court for reasonable attorneys' fees and expenses should this case settle or a money judgment is received and will receive a proportion of any such gross settlement or judgment amount. I agree to be bound by any adjudication of this action by a court, whether it is favorable or unfavorable.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ Social Security No.: _____

E-mail Address: _____

SIGNATURE: _____ Date: _____